

# THE COPPER ERA

AND MORENCI LEADER

The Oldest Copper Producing District in the State of Arizona.

VOLUME XVI.

CLIFTON, ARIZONA, FRIDAY, MAY 29, 1914.

NUMBER 1.

## STEWART PAYS THE PENALTY FOR MURDER

Second Man Dies Today at Globe for Part He Took in Sordid White Mountain Tragedy Nearly Five Years Ago.

"I CANNOT PRAY I'M NOT SINCERE."

Says Condemned Man When Offered Divine Services—Alternates Between Calmness and Display of Cold Nerve.

GLOBE, May 29.—"Only the priest and Jesus Christ can do me any good now," said William Stewart, sentenced to die here tomorrow morning. At the same time he ordered a priest sent to his cell. An hour later he called Marshal Joseph Dillon and said, "Don't send the priest, I can't do it. He would want me to pray and I can't get down on my knees with a clear conscience. I wouldn't be sincere."

The priest was not to be had, however, even if the man had not changed his mind, as the nearest was at Phoenix, an eight hour ride.

Stewart has just been denied a reprieve by President Wilson at the request of Attorney Benton Dick, of Phoenix.

He sent Attorney Flannigan after the May number of a magazine to finish a continued story. He is less defiant than formerly, is quiet and nervous, but his grit is still evident.

Stewart dies tomorrow on the scaffold which was used to send his partner in the crime into the next world. When Chief Deputy United States Marshal Don Willits of Phoenix, springs the trap tomorrow he will have concluded the tragedy that has been noticed in every court in federal jurisdiction over Arizona from the old territorial district court up to the circuit court of appeals.

Like his partner Goodwin, Stewart faces death with entire calmness and almost without emotion. He has known since the case failed to get into the supreme court, that he was doomed. In spite of every effort, he must now pay the penalty for that seemingly useless murder of the two campers at the same time sitting near Fort Apache five years ago.

The history of the case is an interesting one. First convicted in the territorial court with his partner Goodwin, Stewart was sentenced to life imprisonment. It was later discovered that the murder had taken place on an Indian reservation, and that the court—in its final sitting, had no jurisdiction. So, under a severance, the two men were tried again in the same court sitting as a federal tribunal. This time another conviction was secured, but the sentence was also life imprisonment, and was not inflicted for the murder of Kibbe, but for Hilpot, his fellow camper.

After spending six months in Atlanta, Stewart was taken to Phoenix. At the April session in 1913, with Judge William W. Morrow sitting, Stewart was for the third time convicted, and this time sentenced to hang. Benton Dick of Phoenix defended the case, and brought every pressure to bear to secure a retrial. His grounds were former jeopardy, and the fact that the prosecution had neglected to supply him with a witness list two days prior to the opening of the case. The case went up to the circuit court of appeals at San Francisco where the judgment was not reversed.

### TEMPE NORMAL EXERCISES

Will Be Held at Tempe Commencing May 29th to Which Prominent Citizens are Invited.

Invitations were received in Clifton this week from A. J. Matthews, President of the Tempe Normal, for the Twenty-Seventh Annual Commencement of the Tempe Normal School of Arizona.

The program for Commencement week at the Normal is as follows: May 29—Closing exercises of Training School.

May 30th—Junior Reception to Senior Class.

May 31st—Baccalaureate Address, Rev. Allan Kritchbaum, of Morenci. June 2nd—Class Day.

President's reception to Senior Class.

June 4th—Alumni Day, Reception and Banquet.

June 5th—Commencement Address, Geo. W. P. Hunt, Governor of Arizona.

For the first time in the history of the institution a man from this section of the State has been selected to deliver the Baccalaureate address.

Rev. Allan Kritchbaum, of Morenci, has been chosen for this purpose.

Old Times Here—

Geo. H. Kelly, of Douglas, editor of the International, accompanied by Mrs. Kelly, and I. E. Solomon, of Solomonville, arrived in Clifton this week for a visit with Mr. and Mrs. W. B. Kelly. Mr. Kelly was a former resident of this county coming to Solomonville in 1890. I. E. Solomon is one of the oldest pioneers in the state. He rode a mule into Clifton from Silver City in 1876 and later had the charcoal contract for the Lezinsky Brothers when they were in control of the Arizona Copper Co.

## WHEN POT CALLS THE KETTLE BLACK

Easterners Greatly Excited Over Alleged Cruelty to Arizona Sheep.

Governor Sends a Scathing Reply to One Good Sister in Delaware.

PHOENIX, May 26.—Letters protesting against the cruelties alleged to be inflicted upon sheep in Arizona shearing camps continue to pour in on Gov. Hunt. A number of celebrated persons, including Mrs. Minnie Madden Fiske and George Arliss, have written the governor.

One New York woman became a little mixed and asked the governor to use his influence to have the "cattle treated more humanely while being sheared."

The following letter came from the Delaware Society for the Prevention of Cruelty to Animals:

"As the inhuman treatment of sheep in your state during the shearing season has begun to attract attention and arouse indignation, even as far east as the Atlantic coast, I am requested by a unanimous vote of the Delaware S. P. C. A. to write to you to beg you to lend your influence to a movement looking to the better protection of the wool bearing animals in your state, either through the enforcement of such laws as you may have, or the enactment of stricter laws."

"Reports come from all sources that sheep are most brutally handled in the corral and badly cut through careless shearing so much so that thousands die either from the cuts of their flesh or from exposure to the cold after they have lost their fleece. Much of the blame is placed upon union laborers who work by the piece and who in seeking to increase their earnings cut and hack into the flesh with their sharp shears."

"Can you not in the interest of humanity do something to mitigate this cruelty in your state?"

Gov. Hunt in his reply stated that he thought the people of a state which still maintains the whipping posts for humans should have little time to worry about the sorrows of sheep in Arizona. His reply reads:

"Your letter deploring the alleged ill-treatment of sheep during the shearing season in Arizona, has had my attention, and I fully expect that the necessity of observing humane methods in the handling of sheep will be a subject of discussion and possibly of legislation during the next meeting of the state legislature."

"I trust that you will pardon me, however, should I point out that while I appreciate the commendable motives which animate the people of Delaware in their solicitude concerning sheep, there is a certain inconsistency exhibited in the fact that your state still retains in its statutes a provision for the employment of the whipping post in penal institutions."

"Although I may be fallible in this particular, I am strongly of the opinion that the brutal and inhuman treatment of one human being far offsets the physical welfare and comfort that may be secured for the sheep of the western states through the humane endeavors of the people of Delaware."

"Should your society and the many good people who doubtless are connected with it, so extend their labors as to safeguard human beings from brutal mistreatment in Delaware penal institutions, he ultimate contribution to the whole cause of humanity would in my opinion, greatly outweigh the good resulting from crusades for the prevention of cruelty to sheep, however, commendable the latter movement may be."

"I desire to assure you in conclusion, that the foregoing remarks are offered in the best possible spirit and will, therefore, be the occasion for no offense."

### CITY ELECTION.

Entire Democratic Ticket is Elected on Monday Last Without Any Opposition.

As predicted the City election on Monday last passed off quietly, the entire democratic ticket nominated in the primaries a month ago, being elected. The official returns were:

Mayor—Geo. W. Fraser 395, Peter Riley 2, Adam Smith 1.

Councilmen—J. H. Bryant 374, J. W. Goodish 374, W. R. Hutchins 367, Thos. Sidebotham 352, F. Springer 371, C. W. Young 384, R. E. Mailey 1, C. C. Dauber 1, S. V. Norte 1.

Town Clerk—M. Danenhauer 385, O. A. Risdon 1, Chas. Pinckney 3, Dick Davis 1.

Town Marshal—G. L. Crawford 378, Chas. Brooks 2, T. B. McCulloch 8.

Street Supervisor—B. F. Bowman 336, J. F. Hayes 27.

The old Council will hold a meeting next week to canvass the returns and the newly elected officials will take office during the ensuing twenty days.

Mexican Plead Guilty—

The young Mexican who was detected in the act of robbing post-office boxes by Postmaster Lehman, and who was taken to Tucson by deputy United States Marshal Dilliner, when arraigned in the Federal Court, pleaded guilty. Sentence has not yet been passed.

## MEDIATORS BEACHING COMMON AGREEMENT ON MEXICAN PROBLEM

This Much is Stated With Emphasis by South Americans After Day of Conferences With Delegates.

NO SPECIFIED ORDER OUTLINED

Discussion of General Character, Saying They Are Counsellors, Not Dictators of Mexican Destinies.

NIAGARA FALLS, May 25.—Smooth progress towards a common agreement upon all phases of the Mexican problem is being made by the mediators and the American and Mexican delegates. This was stated with emphasis by the mediators tonight after a day of conferences principally with the Mexican delegates. The three South American diplomats made it plain that while every aspect of the Mexican situation has been laid before the delegates of the United States and Mexico, no formal basis has yet been reached for treatment in any specified order of the issues involved.

Discussion thus far has been of a general character. The mediators have taken the position that they are essentially counsellors, not dictators of the destinies of the Mexican republic. They will not suggest names for provisional presidency or recommend any form of government. From the Mexican delegates themselves must originate the proposals concerning the internal affairs of their country.

The mediators do not conceive it to be their duty to undertake to legislate upon questions which properly fall within the jurisdiction of the constitutional government when established. The most they can do in this direction will be in the line of suggestion and kindly recommendation.

The theory under which the internal questions are being brought into the discussion is that the United States has a right to say whom it will recognize as provisional president of Mexico and therefore can indicate in advance who will be acceptable.

On the agrarian problem too, suggestions must originate from the Mexican delegates. Thus far the talk on the land question has not reached the merits of the subject itself. The question has been whether Mexico's land problem could be properly discussed in an international tribunal. The Mexican delegates have shown a serious disinclination to have it included as they regarded it as a purely internal question.

The American delegates, however, have maintained that as the land question has been the fundamental cause of unrest, breeding revolution after revolution, some program should be considered with a view to influencing a gradual settlement of the question. The purpose of the American delegates, it is said, is to place the problem so conspicuously before the world as the obligation of the future provisional government that no new administration could ignore it.

The mediators and the American delegates alike paid warm tribute to the Mexican delegates. The latter have approached the work of composing the difficulties besetting this country from a broad patriotic standpoint, and have at no time shown a disposition to lift the personal fortunes of any Mexican publicist to a controlling place.

The mediators as well as the American and Mexican delegates have pledged themselves to keep the proceedings secret. One reason for this is the desire of the Mexican delegates that various phases of the discussion here, particularly those relating to the retirement of Huerta, should not be misinterpreted in Mexico and thus weaken the administration there in handling the military situation against the constitutionalists.

Certain Mexican delegates suggest that the United States should interpose no objections to General Huerta's becoming a candidate for the presidency at any election called by a provisional government set up as a result of mediation. This they feel would permit him to retire with dignity and would greatly conduce to the restoration of permanent peace.

Jose Requeena, who was candidate for vice president on the same ticket with Felix Diaz, and Cecilio Ocon, left today for Toronto after a conference with the Mexican delegates.

It was learned that they came primarily to express their approval of mediation and to place their fortunes in the hands of the Mexican delegates.

PHOENIX, May 25.—Two resolutions aimed directly at Corporation Commissioners F. A. Jones were introduced at the last executive session of the commission. One was introduced by Chairman W. P. Geary, the other by Commissioner A. W. Cole.

The Geary resolution grew out of Commissioner Jones' action in accepting a retaining fee of \$500 from the Sld Mauk company and other Globe and Miami firms in a reparation and rate case now before the Interstate Commerce commission. In this case Jones represented the complainants as their attorney; his name is signed to the complaint and was filed at Washington. It is said that his retaining fee, which he accepted last September, was \$500.

Geary's resolution follows: "It is resolved, that the Arizona corporation commission holds itself willing and ready at all times to aid and assist any receiver or shipper of freight, residing in the state of Arizona, complaining of 'interstate rates made, charged or collected by any common carrier, to complain to the interstate commerce commission by intervention, petition or otherwise, relative to the unreasonableness of the rate in question, and also seek reparation where the same may be due, demanded, just and reasonable."

"That this commission hold itself in no way responsible for the action of any member thereof asking or receiving and remuneration from any shipper or receiver of freight in the state of Arizona, complaining of unjust and unreasonable interstate rates maintained by any common carrier, or seeking reparation with reference thereto."

As a substitute Commissioner Jones offered the following:

"In the event any complainant before the interstate commerce commission declines to accept the services of, or fails to ask the intervention or aid of the state commission, the action of any member of this commission or other person in appearing on behalf of said complainant in no manner binds or involves the commission."

On this substitute, Geary and Cole voted no, Jones aye. Chairman Geary, however, asked the record to show that he would vote for the substitute if the following be added:

"But the commission does not approve of any member thereof accepting any compensation whatever for his services."

Geary and Jones voted to lay the Cole motion on the table. Geary does deny that he signed the resolution or ever saw them until they were printed in Los Angeles. It is believed that he would have voted with Cole had he not thought it sufficient to simply have Cole's motion mentioned in the records, in order that it might be referred to should occasion arise.

Jones is in favor of free tolls. He went to Washington late in April and appeared before the senate committee on inter-oceanic canals to protest against the repeal. That trip was made without the authorization of the other commissioners and it is no secret that they highly disapproved it.

Fishing Party Here—

A party of six composed of Hon. E. A. Tovey, Geo. Davidson, Dr. Ritter, Dick Hofmeyer, A. E. Downs, and James Owens, all residents of Bisbee, arrived in Clifton on Thursday evening and departed Saturday morning for Black River on a fishing expedition. Frank Hodges, Pat Sutherland and Mr. Patterson piloted the outfit into the mountains.

## SUPERVISORAL LIFE PRISONER IS TANGLE UNDER NEW LAW

Attorney General Renders Opinion Regarding Previous Findings with Respect to Expiration of the Terms and Procedure.

Ambiguous Law Which Has Made for Much Confusion, Still Contains Its Puzzles; Legal Complications as to Contracts.

PHOENIX, May 26.—There seems to be some confusion still regarding the status of the members of the boards of supervisors as regards the coming election, but be that as it may, the attorney general's office gave out an opinion on the matter February 24 of this year. In brief, Assistant Attorney General Leslie C. Hardy, who gave the opinion says after quoting the law on the subject: "It will be observed that the redistricting of the various counties of the State into supervisorial districts by the board of supervisors shall be made on the first Monday in September next preceding the general election for State and county officers. The first Monday in September preceding the next general election falls on the 7th day of that month. Under the provisions of the primary law, the primary for the next general election will be held on the 8th Tuesday prior to the next general election, which falls on the 3rd day of November."

The next primary election, therefore, will fall on the 8th day of September. It, therefore, appears that the next primary election will be held one day after the date prescribed for the redistricting of the various counties of the State into supervisorial districts. It is obvious, therefore, that the boards of supervisors of the various counties of the State cannot not divide the counties into supervisorial districts before the time prescribed by law for the filing of nomination papers by candidates for boards of supervisors, in view of the fact that Section 5 of the primary law prescribes that persons desiring to become a candidate at a primary election shall file his nomination petition not less than twenty nor more than sixty days before the primary election. In view of this fact, it is the opinion of this department that candidates for supervisors in the various counties of the State will not be effected by Chapter 51, supra, but they should be nominated and elected from the county at large, as had heretofore been the custom, rather than from supervisorial districts."

And in conclusion, he says "this opinion should not be construed to prohibit the boards of supervisors of the various counties of the State from redistricting their counties into supervisorial districts, but, on the contrary, we hold that such districts should be made at the time prescribed by law. We only advise you that because of the inconsistency of the law and the dates for filing nomination papers, candidates for supervisors cannot not be nominated and elected from supervisorial districts at the next primary and general election."

From the foregoing it is the opinion of many that there arises a chance for several suits in the shape of injunctions and the further question that if the new supervisors are to be elected under the old law that it must naturally follow that only two supervisors will be elected and the hold-over men remain on the board for another two years, such being the old law.

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affirmative, the original Geary resolution was then adopted.

Commissioner Cole then introduced a resolution quoting an article which appeared in the Los Angeles Examiner April 23 relative to the Panama canal tolls proposition. The article quoted what purported to be resolutions passed by the commission, and signed by Geary, as foreman, opposing the repeal of the free tolls clause in the Panama canal reversion act. Cole's resolution stated that the resolution printed in the Examiner had never been discussed by the commission and that Geary denied having signed it, therefore it should be absolutely repudiated.

Geary and Jones voted to lay the Cole motion on the table. Geary does deny that he signed the resolution or ever saw them until they were printed in Los Angeles. It is believed that he would have voted with Cole had he not thought it sufficient to simply have Cole's motion mentioned in the records, in order that it might be referred to should occasion arise.

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COMMISSIONERS HERE.

Chairman Paul Geary and Member A. W. Cole of Corporation Commission Listen to Complaints.

As a result of complaints made to the Corporation Commission by the Town Council, Chairman Paul Geary and Member A. W. Cole arrived in Clifton on Thursday evening, and on Friday held an informal hearing at the Clifton Hotel regarding the rules and regulations laid down by the Clifton Water & Improvement company regarding the hours for sprinkling lawns and the service furnished for fire protection.

During the afternoon the commission had a conference with the directors of the water company and in all probability the complaints against the Water company will be permanently removed by the installation of a ten inch pipe line between town and the pump station, the Water company to issue bonds in the sum of thirty-five thousand dollars for this purpose, which will relieve the situation.

The Commission also modified the ruling of the company regarding the use of water for sprinkling.

GILA RIVER NOW CLEAR OF TAILINGS

Evans Coleman, tailings inspector at Morenci and Clifton for the canal companies, has just returned from an inspection trip up the river and reports that all the garbage at Clifton is now burned instead of being thrown into the Gila river, as practiced heretofore.

Mr. Coleman also states that the companies are taking good care of their tailings, none of which are going into the river at any point.

Mr. Coleman inspected the new flume being built by the Arizona Copper company, which goes to Morenci, and states that when the flume is completed, there will be no more trouble from tailings as the flume will keep them out of Morenci canyon.

To Form Tennis Club—

Clifton has a Tennis Court but at present no Tennis Club, although a movement was launched this week for the organization of a live club for this season. The A. C. Co. Ltd. officials have agreed to fix the court in good shape provided a sufficient number of enthusiasts can be found for a real live organization. It is proposed to form a Clifton Tennis Club, not a company club, and all enthusiastic tennis players are invited to join. Applications for membership should be made to Mr. Peter Riley, W. A. Thompson or J. M. Mason.